

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE VEECO INSTRUMENTS INC. : No. 7:05-MD-01695-CM-GAY
SECURITIES LITIGATION :
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THIS DOCUMENT RELATES TO: :
ALL ACTIONS :
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**NOTICE OF MOTION AND MOTION *IN LIMINE* TO PRECLUDE LEAD
PLAINTIFF'S DAMAGES EXPERT FROM OFFERING ERRONEOUS
CALCULATIONS AS TO POTENTIAL DAMAGES**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and papers in support thereof, and all prior papers and proceedings had herein, Defendants in this action will move this Court, before the Honorable Colleen McMahon, at a date and time to be determined by the Court, for an order to Prelude Lead Plaintiff's Damages Expert from Offering Erroneous Calculations As To Potential Damages, and to further request, to the extent Lead Plaintiff's Damages Expert does discuss requirements of the PSLRA, that the Court insist that Lead Plaintiff's Damages Expert characterize those requirements as an upper limit on available damages.

Dated: New York, New York
June 6, 2007

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